



Welcome to the
Department of Justice

Iowa Attorney General

Attorney General Tom Miller

Friday, January 25, 2002

Juvenile Justice Issues in the 2000 Iowa Legislative Session As Monitored by the Attorney General's Office, Juvenile Law Section

Final Report

| BILL # | SUBJECT | STATUS | COMMENTS |
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| HF 2039 | De-appropriations. De-appropriates \$30 million previously appropriated for FY 2000. Included are \$6.98 million in reductions from DHS : FIP and food stamp surpluses, Eldora construction delays, and reduction in guardianship subsidies; \$2 million from field operations (more federal money was drawn down than was anticipated); and the \$3.7 million "bundled services" safety net (federal disproportionate share funds). | Introduced and passed the House 95-1, 1/12. Adopted and passed the Senate, 44-2, 1/13. Signed by the Governor, 1/18/00. | |
| HF 2080 | Coverage for Mental Illness. Requires that certain group health insurance policies cover biologically based mental illnesses, defined to include schizophrenia, depression, autism, developmental disorders and other illnesses. Amendments to include panic disorders, psychotic disorders, eating disorders & Post-Traumatic Stress Syndrome failed. | Passed the House, 55-44, 2/16. Placed on the Senate Unfinished Business Calendar, 3/23. | Died in the Senate at the end of the session. |

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| HF 2084 | Underage Body Piercing. Prohibits body piercing, not including earlobes, of minors without written parental consent. Violation is a serious misdemeanor. Creates an affirmative defense if the practitioner believes the minor is 18 years old. Requires piercing establishments to meet the same standards as tatoo parlors. | Formerly HF 2011, voted out of the House Human Resources Committee. Rereferred to Ways & Means. Voted out of the House Ways & Means Committee, 4/19. | Died in the House at the end of the session. |
| HF 2240 | Guardianship Counsel. Requires that a proposed ward in guardianship or conservatorship proceedings be given notice of the hearing and the right to private counsel. Establishes when a court needs to reconsider appointment or discharge of court-appointed counsel. | Passed the House, 97-0, 2/28. Passed the Senate, 42-0, 3/20. Signed by the Governor, 3/31. | |
| HF 2365 | Child Death Review Team. Expands the authority of the Child Death Review Team. Requires reviewing the deaths of children up to age 18, rather than up to age 6. | Passed the House, 98-1, 2/29. Passed the Senate as amended, 47-0, 3/21. Signed by the Governor, 4/5. | Attorney General's bill. |
| HF 2377 | Child Abuse Information. Makes child abuse information available to the Governor. Requires DHS to notify reporter within 24 hours whether reported abuse is being investigated. Allows the subject of a child abuse report to release the report to the Governor or designee or to a member of the General Assembly. Such information may not be disseminated or made public. Provides that a Child Fatality Review Committee may investigate the handling of a case resulting in a fatality and release its findings to the public, subject to certain restrictions. Requires the director of DHS, after consultation with the County Attorney, to release certain information concerning a case resulting in a fatality or near fatality. Provides for judicial review. | Passed the House, 98-0, 3/2. Passed the Senate as amended, 46-0, 3/30. The House concurred and passed it, 94-0, 4/5. Signed by the Governor, 4/21. | |

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| HF 2379 | Juvenile Crime Prevention. Reauthorizes Community Crime Prevention grant program. Provides that the funds will be distributed statewide through Decat governing boards and requires that grant plans submitted be consistent with plans submitted for other state grants. Extends sunset clause to June 30, 2005. | Placed on the House Unfinished Business Calendar, 3/16. Debated and deferred, 4/3. | Language added to SF 2429, the Health & Human Rights Appropriations bill. |
| HF 2388 | Child Custody & Support. Creates a pilot project in which Juvenile Court and District Court have concurrent jurisdiction in child custody and support matters. | Passed the House, 94-0, 3/15. Passed the Senate, 50-0, 3/28. Signed by the Governor, 4/13. | ' |
| HF 2419 | Amphetamine Offenses (Drug Paraphernalia). Requires a mandatory 2 day jail sentence upon conviction for misdemeanor possession and a 99 year sentence for distribution to a minor. Makes possession of drug paraphernalia a simple misdemeanor and defines drug paraphernalia. | Amended to include drug paraphernalia language and passed the Senate, 46-0, 4/6. The House concurred and passed it, 85-6, 4/11. Signed by the Governor, 4/25. | HF 2130, drug paraphernalia, died in the 2 nd funnel. New language is based on Minn. statute. |
| HF 2420 | Sexual Abuse Statute of Limitations. Extends the statute of limitations for filing sexual abuse of a minor charges to 10 years after the minor reaches the age of 18. Extends all other sexual abuse statutes of limitation to 10 years after the offense. | Passed the House, 90-1, 3/8. Passed the Senate, 49-0, 3/21. Signed by the Governor, 3/30. | ' |
| HF 2437 | Drug and Alcohol Notification by Colleges. Authorizes colleges to tell parents of a student under age 21 that their child has violated school rules or state or local laws on alcohol or other drugs. | Passed the House, 89-2, 3/8. Passed the Senate as amended, 47-0, 4/6. The House concurred and passed it, 81-17, 4/13. Signed by the Governor, 5/3. | ' |
| HF 2473 | School Employee Protections. Makes a school employee immune from civil suits or criminal prosecution for reporting on or investigating violence or inappropriate activities at school or school functions. | Passed the House, 95-0, 3/7. Passed the Senate, 50-0, 4/11. Signed by the Governor, 5/3. | ' |

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| HF 2511 | Drinking & Driving. Bill concerns OWI classes. Amended to require violators under 18 to attend a course offered by a treatment program and to require the notification of parents and school authorities whenever a minor is charged with OWI or has a BAC level of 0.02 or above. | Passed the Senate as amended, 49-0, 4/3. The House concurred and passed it, 85-10, 4/5. Signed by the Governor, 4/21. | HF 2092 died in the 2 nd Funnel. Language added to HF 2511 in the Senate. |
| HF 2549 | Education Appropriations (Empowerment). Makes education appropriations. Amended to provide that the Director of the Department of Human Rights and another citizen be members of the State Empowerment Board. Also amended to direct the Empowerment Board to consider implementation of a funding formula. | Empowerment amendments added in the Senate, 4/26. Passed for the last time by both houses on 4/26. Signed by the Governor, 5/10. | |
| HF 2554 | Judicial Branch Appropriations. Appropriates \$113.7 million from the General Fund for the Judicial Branch, including \$210,000 for the Juvenile Victim Restitution Program. Appropriates \$668,000 from the Enhanced Court Collections Fund for the Justice Data Warehouse. | Passed the House, 95-1, 3/29. Passed the Senate as amended, 47-0, 4/24. The House concurred and passed it, 99-1, 4/25. Signed by the Governor, 5/16. | |
| HF 2555 | Tobacco Settlement. Appropriates \$55 million from the Tobacco Settlement Fund. To the Dept. of Human Services: \$24.3 million. <i>Provider increases</i> , including \$3.1 million to RTSS providers (5% increase) and \$500,000 for adoption, independent living, shelter care and home studies services providers (5% increase). Also includes - \$6 million to doctors (up to Medicare levels); \$3.6 million to dentists (to 75% of customary rates); \$2.3 million to hospitals (3% increase); \$2.4 million to home health care providers (up to Medicare levels); \$250,000 to critical access hospitals (up to Medicare levels); \$4.4 million for home health care and day care for special needs children; \$1.2 | Passed the House, 100-0, 4/18. Passed the Senate, 47-0, 4/20. Signed by the Governor, 5/5. | Strike and replace amendment in the House added \$200,00 for children's health insurance and \$1 million to Healthy Iowans 2010. Reduced Savings Account from \$5 million to \$3.8 million. |

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| | million for respite care; \$550,000 to other DHS service providers (1% increase); \$200,000 to supplement the children's health insurance program; and \$35,000 for an evaluation of a pilot project on continuous eligibility for children under the medical assistance program. To the Dept. of Public | | |
| SF 228 | Education Volunteer Checks. Authorizes schools to do criminal and abuse record checks for volunteers and support staff. | Passed the Senate, 45-3, 3/25/99. Passed the House as amended, 99-0, 3/23/00. The Senate concurred and passed it, 47-0, 4/6. Signed by the Governor, 5/3. | This bill took 2 years to pass both houses. |
| SF 421 | Juvenile Court Adoptions Jurisdiction. Extends juvenile court jurisdiction to include adoptions. | Passed the Senate, 43-5, 3/18/99. Passed the House, 98-0, 4/3/00. Signed by the Governor, 4/26. | This bill took 2 years to pass both houses. |
| SF 2031 | Sex Offender Notification. Makes it an aggravated misdemeanor for a sex offender to fail to notify the appropriate sheriff in the event of an address change and a Class "D" felony for a subsequent offense. Requires the revocation of parole or any other early release program for failure to notify. | Passed the Senate, 46-0, 2/7. Passed the House as amended, 98-0, 2/16. The Senate concurred and passed it, 48-0, 3/27. Signed by the Governor, 4/5. | Attorney General's bill. |
| SF 2142 | Victim Compensation. Allows parents and caretakers to receive compensation for lost wages related to a dependent's medical or counseling appointments. Allows victims, parents & caretakers to claim lost wages while meeting with police or prosecutors in connection with the criminal proceeding. | Passed the Senate, 46-0, 2/28. Passed the House, 98-0, 3/28. Signed by the Governor, 4/7. | Attorney General's bill. |
| SF 2221 | Juvenile Offenders. Allows district court to suspend the sentence of a juvenile who has been waived to adult court, except in cases of class "A" felonies. Allows juvenile court to retain jurisdiction for up to 1 ½ years for juveniles who are age 17 or older at the time of disposition. | Passed the Senate, 47-0, 3/7. Passed the House, 92-0, 3/28. Signed by the Governor, 4/6. | Attorney General's bill. |

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| SF 2265 | Supervision after Sex Sentence. Requires that a person convicted of lascivious acts with a child be sentenced to work release or parole after the term of imprisonment. | Passed the Senate, 47-0, 3/2. Passed the House, 94-2, 4/26. Signed by the Governor, 5/4. | |
| SF 2282 | Sentencing Review. Allows an "85% sentence" to be reopened by the original sentencing court upon a motion by the parole board and the Department of Corrections. The court may reduce the maximum sentence in the original sentencing order. | Passed the Senate, 46-1, 3/2. Placed on the House Unfinished Business Calendar, 3/23. | Died in the House. The Senate added the language to HF 2552, the Justice Budget bill, at the end of the session. The House stripped it out again. |
| SF 2344 | Child and Family Services. Provides that requests to correct or expunge child abuse information shall not be made public until the conclusion of the proceedings. Allows providers of adult home care, health care or placement facilities to check employment records of future employees. | Passed the Senate, 48-0, 3/14. Passed the House as amended, 3/22. The Senate concurred and passed it, 47-0, 3/27. Signed by the Governor, 4/7. | |
| SF 2360 | Background Checks. Allows background checks of DHS employees and volunteers who have direct contact with clients in county cluster offices. Allows the consideration of the criminal offenses in determining if that person should continue service. | Passed the Senate, 47-0, 3/2. Passed the House, 92-0, 4/5. The Senate concurred and passed it, 50-0, 4/10. Signed by the Governor, 4/19. | |
| SF 2366 | Tobacco Laws. Makes the use of a driver's license by a minor to purchase tobacco a simple misdemeanor. Authorizes seizure of fake identification. Establishes alternative punishments including education programs and community service for minors who violate the tobacco laws. Allows minors to handle tobacco products as part of their employment. Limits license revocations to the place of business where the offense occurred but not to other locations. Increases fines. | Passed the Senate, 48-0, 3/9. Passed the House as amended, 82-9, 3/30. The Senate concurred and passed it, 48-0, 4/5. Signed by the Governor, 4/17. | Attorney General's bill. |

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| SF 2369 | School Information Sharing Agreements. Allows Juvenile Court Services and the Department of Human Services to share information with schools pursuant to an Information Sharing Agreement. | Passed the Senate, 50-0, 3/14. Passed the House as amended, 90-0, 3/28. The Senate concurred and passed it, 47-0, 4/6. Signed by the Governor, 4/20. | Attorney General's bill. |
| SF 2429 | Health & Human Rights Appropriations. Makes appropriations to the Departments of Health and Human Rights, including \$1.6 million for the Community Crime Prevention Grants program. Reauthorizes the grant program through 6/30/05. Provides that the funds will be distributed statewide through Decat governing boards and requires that grant plans submitted by consistent with plans submitted for other state grants. | Passed the Senate, 30-19, 3/23. Passed the House as amended, 86-4, 4/13. Passed the Senate as amended, 45-0, 4/18. House refused to concur, 4/18. The Senate receded and passed it, 49-0, 4/25. Signed by the Governor, 5/8. | ' |
| SF 2435 | Human Services Appropriations. Makes appropriations to DHS: \$797.8 million from the General Fund; \$1.2 million from the Social Services Bloc Grant; and \$141.9 million from TANF. Includes a \$650,000 increase for 25 more Juvenile Court Liaisons; a \$508,000 increase for more PMIC beds; \$687,876 for girls' Delinquency Day Treatment; and an independent study of the Child Protection system. It names the school at Eldora for Arlene Dayhoff; delays moving boys from the Toledo Juvenile Home; and forbids judges from ordering juvenile services that the state doesn't have the funds to pay for or from shifting a state financial responsibility to a county. | Passed the Senate, 35-14, 3/28. Passed the House as amended, 55-42, 4/11. Passed the Senate as amended, 45-0, 4/25. The House concurred and passed it, 89-11, 4/25. Item vetoed and signed by the Governor. | Additional DHS appropriations in the Standings bill, SF 2452. |